

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Jai Britt

v.

Civil No. 14-cv-233-PB

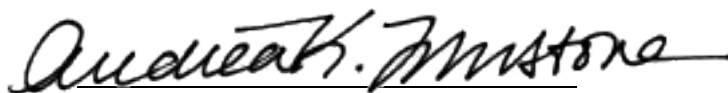
New Hampshire State Prison Warden

REPORT AND RECOMMENDATION

Petitioner Jai Britt has not exhausted his state court remedies on all claims asserted in this § 2254 petition. See Sept. 3, 2014, Order (doc. no. 4). This court granted Britt until December 1, 2014, to move to stay the § 2254 petition so that he could exhaust all of his claims, and further directed that if Britt did not so move, the magistrate judge would recommend that the petition be dismissed, pursuant to 28 U.S.C. § 2254(b)(1). See Nov. 13, 2014, Order (doc. no. 5). Britt has not responded to that order as directed. Accordingly, the district judge should dismiss Britt's petition without prejudice because he has not exhausted state remedies, and has failed to respond to this court's orders.

Any objections to this report and recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's

order. See United States v. De Jesús-Viera, 655 F.3d 52, 57 (1st Cir. 2011); Sch. Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (only issues fairly raised by objections to magistrate judge's report are subject to review by district court; issues not preserved by such objection are precluded on appeal).

A handwritten signature in black ink, reading "Andrea K. Johnstone". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

Andrea K. Johnstone
United States Magistrate Judge

December 8, 2014

cc: Jai Britt, pro se